

<b>CHARGE OF DISCRIMINATION</b>		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER <b>130-2004-03106</b>
and EEOC			
State or local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) <b>Ms. Winnifred Blackledge</b>		HOME TELEPHONE (Include Area Code) <b>251-634-8791</b>	
STREET ADDRESS <b>3011 Azalea Trace Dr. N. Mobile, AL 36895</b>		CITY, STATE AND ZIP CODE <b>Mobile, AL 36895</b>	
DATE OF BIRTH <b>10/14/57</b>			
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below)			
NAME <b>Alabama State Department of Mental Health and Mental Retardation</b>	NUMBER OF EMPLOYEES, MEMBERS <b>15 +</b>	TELEPHONE (Include Area Code) <b>251-621-0760</b>	
STREET ADDRESS <b>7400 Roper Lane Daphne, AL 36526</b>		CITY, STATE AND ZIP CODE <b>Daphne, AL 36526</b>	
NAME		COUNTY <b>Baldwin</b>	
STREET ADDRESS		TELEPHONE NUMBER (Include Area Code)	
CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST (ADEA/FEPA) LATEST (ALL)	
<input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		<b>6/8/04</b>	
<input checked="" type="checkbox"/> CONTINUING ACTION			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>1. I have been employed with Respondent since approximately 1987. I currently hold the position of Mental Health Social Worker II.</p> <p>2. In October of 2003 the position of Community Service Specialist III was posted. I was interested and applied for said position. I was qualified for said position as I had been in the Community Service Department for approximately 16 years. I had already been doing the job duties of said position for several years. The position was given to a white female with no experience in the Community Service Department. The respondent has pre-selected white employees for positions without actually giving consideration to black employees.</p> <p>3. I have been adversely affected by these discriminatory practices by being deprived of the equal opportunity to be paid a salary that is equal to my job duties because of my race. Other similarly situated white employees are hired and promoted and paid higher salaries without regard to their job duties or qualifications.</p> <p>4. Upon information and belief, I believe that I have been discriminated against in pay, promotions, job/work assignments and other adverse terms and conditions of employment on the basis of my race in violation of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.</p> <p>5. Respondents conduct is part of a pattern and practice which has resulted in both disparate treatment and impact against myself and other similarly situated black employees on a class wide basis. Respondent continues to pre-select white employees for all positions without giving black employees the opportunity for promotions.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date <b>6/8/04</b> <b>Winnifred A. Blackledge</b> Charging Party (Signature)		SIGNATURE OF COMPLAINANT	
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)		JUN 10 2004	

EEOC FORM 131 (5/01)

## U. S. Eq. Employment Opportunity Commission

Ms. KATHY THOMPSON  
ADMINISTRATIVE ASSISTANT  
ALABAMA DEPT MENTAL HEALTH MENTAL RETARDATION  
100 N UNION STREET  
P.O. BOX 301410  
MONTGOMERY, AL 36130

## PERSON FILING CHARGE

Winifred Blackledge

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

130-2004-03106

## NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

☒ Title VII of the Civil Rights Act☐ The Americans with Disabilities Act☐ The Age Discrimination in Employment Act☐ The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.3. ☒ Please provide by **28-JUL-04** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.☐ Please respond fully by \_\_\_\_\_ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.5. ☒ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by **13-JUL-04** to **Debra B. Leo, ADR Coordinator, at (205) 212-2033**. If you **DO NOT** wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Debra B. Leo,  
ADR Coordinator

EEOC Representative

Telephone: **(205) 212-2033**Birmingham District Office  
Ridge Park Place  
1130 22nd Street, South  
Birmingham, AL 35205Enclosure(s): ☒ Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE ☐ DISABILITY ☐ RETALIATION ☐ OTHER

See enclosed copy of charge of discrimination.

Date Name / Title of Authorized Official Signature

Jun 28, 2004

Bernice Williams-Kimbrough,  
District Director

Signature

LSK  
Bernice Williams-Kimbrough

Enclosure with EEOC  
Form 131 (5/01)

## INFORMATION ON CHARGES OF DISCRIMINATION

### EEOC RULES AND REGULATIONS

Section 1601.15 of EEOC's regulations provides that persons or organizations charged with employment discrimination may submit a statement of position or evidence regarding the issues covered by this charge.

EEOC's recordkeeping and reporting requirements are found at Title 29, Code of Federal Regulations (29 CFR): 29 CFR Part 1602 (see particularly Sec. 1602.14 below) for Title VII and the ADA; 29 CFR Part 1620 for the EPA; and 29 CFR Part 1627, for the ADEA. These regulations generally require respondents to preserve payroll and personnel records relevant to a charge of discrimination until disposition of the charge or litigation relating to the charge. (For ADEA charges, this notice is the written requirement described in Part 1627, Sec. 1627.3(b)(3), .4(a)(2) or .5(c), for respondents to preserve records relevant to the charge – the records to be retained, and for how long, are as described in Sec. 1602.14, as set out below). Parts 1602, 1620 and 1627 also prescribe record retention periods – generally, three years for basic payroll records and one year for personnel records. Questions about retention periods and the types of records to be retained should be resolved by referring to the regulations.

**Section 1602.14 Preservation of records made or kept.** . . . . Where a charge ... has been filed, or an action brought by the Commission or the Attorney General, against an employer under Title VII or the ADA, the respondent ... shall preserve all personnel records relevant to the charge or the action until final disposition of the charge or action. The term *personnel records relevant to the charge*, for example, would include personnel or employment records relating to the aggrieved person and to all other aggrieved employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates or the same position as that for which the aggrieved person applied and was rejected. The date of *final disposition of the charge or the action* means the date of expiration of the statutory period within which the aggrieved person may bring [a lawsuit] or, where an action is brought against an employer either by the aggrieved person, the Commission, or the Attorney General, the date on which such litigation is terminated.

### NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of Title VII, Section 4(d) of the ADEA, and Section 503(a) of the ADA provide that it is an unlawful employment practice for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against any individual, or for a union to discriminate against its members or applicants for membership, because they have opposed any practice made an unlawful employment practice by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the statutes. The Equal Pay Act contains similar provisions. Additionally, Section 503(b) of the ADA prohibits coercion, intimidation, threats, or interference with anyone because they have exercised or enjoyed, or aided or encouraged others in their exercise or enjoyment, of rights under the Act.

Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made. Please note that the Civil Rights Act of 1991 provides substantial additional monetary provisions to remedy instances of retaliation or other discrimination, including, for example, to remedy the emotional harm caused by on-the-job harassment.

### NOTICE REGARDING REPRESENTATION BY ATTORNEYS

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please give us your attorney's name, address and phone number, and ask your attorney to write us confirming such representation.

EEOC FORM 331 (5/01)

## U. S. Equal Employment Opportunity Commission

Mrs. Kathy Thompson  
 Administrative Assistant  
 ALABAMA DEPT MENTAL HEALTH & RETARDATION  
 100 N Union Street  
 Montgomery, AL 36130

PERSON FILING CHARGE

Winnifred Blackledge

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

130-2004-03106

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 If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Murry A. Gosa,  
 Intake Supervisor

EEOC Representative

Telephone: (205) 212-2119

Birmingham District Office  
 Ridge Park Place  
 1130 22nd Street, South  
 Birmingham, AL 35205

Enclosure(s): ☐ Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE ☐ DISABILITY ☐ RETALIATION ☐ OTHER

ISSUES: Promotion

DATE(S) (on or about): EARLIEST: 06-08-2004 LATEST: 06-08-2004

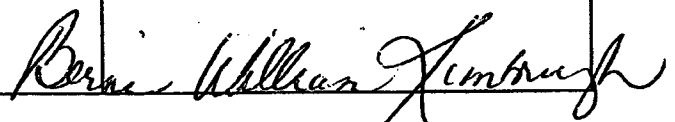
Date

Jun 16, 2004

Name / Title of Authorized Official

Bernice Williams-Kimbrough,  
 District Director

Signature



Enclosure with EEOC  
Form 131 (5/01)

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